ORDINANCE NO. 2020 - 04

AN ORDINANCE OF THE VILLAGE OF MALCOLM, LANCASTER COUNTY, NEBRASKA, TO APPROVE THE CHANGE OF ZONE OF CERTAIN REAL PROPERTY WITHIN THE ZONING JURISDICTION OF THE VILLAGE OF MALCOLM FROM AG AGRICULTURAL TO R-2 MEDIUM-DENSITY RESIDENTIAL; TO MAKE FINDINS; TO AMEND THE ZONING MAP OF THE VILLAGE OF MALCOLM ACCORDINGLY; TO REPEAL ANY CONFLICTING ORDINANCES; AND TO PROVIDE FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF MALCOLM, NEBRASKA:

Section 1. The Village of Malcolm received a Request for Rezoning from the property owner to rezone the following described real property from AG Agricultural to R-2 Medium-Density Residential.

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 21, T11N, R5E, OF THE 6TH P.M., THENCE S00°18'46"W A DISTANCE OF 50.00 FEET; THENCE N89°57'47"W A DISTANCE OF 799.90 FEET; THENCE S00°04'34"E A DISTANCE OF 1049.45 FEET; THENCE N89°32'38"W A DISTANCE OF 288.03 FEET TO THE POINT OF BEGINNING; THENCE S00°25'15"W A DISTANCE OF 124.54 FEET; THENCE N89°36'33"W A DISTANCE OF 109.84 FEET; THENCE N00°24'42"E A DISTANCE OF 124.66 FEET; THENCE S89°32'38"E A DISTANCE OF 109.86 FEET TO THE POINT OF BEGINNING; SAID ADDITION TO THE CORPORATE LIMITS (TO BE KNOWN AS LOT 1, HUDKINS THIRD ADDITION TO THE VILLAGE OF MALCOLM) CONTAINING 13,686.61 SQFT OR 0.31 ACRES MORE OR LESS;

the "Property" herein.

Section 2. The Board of Trustees finds the Property lies within the extraterritorial zoning jurisdiction of the Village of Malcolm; pursuant to Neb. Rev. Stat. § 19-905, written notice of public hearings before the Planning Commission and Village Board of Trustees has been personally delivered to all property owners within three hundred feet (300') of the Property at least ten (10) days prior to said hearings; no protest against such change of zoning has been received by the Village; and said change of zoning is consistent with the Comprehensive Development Plan and in the best interests of the Village of Malcolm.

Section 3. The Request for Rezoning is hereby approved to rezone the Property described above from AG Agricultural to R-2 Medium-Density Residential as defined and regulated in Chapter 12 of the Village Code.

Section 4. The zoning district boundaries of the official zoning map for the Village of Malcolm shall be updated to reflect the change of zone for the above-described Property.

Section 5. Any conflicting provisions in the Malcolm Village Code or other ordinances are hereby repealed. All other provisions in Village Code Chapter 12 shall remain in full force and effect except as revised herein.

Section 6. This ordinance shall be published in book or pamphlet form and posted in three (3) public locations in the Village of Malcolm. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication as provided by law.

SUSPEND READINGS (3/4 VOTE)	FIRST READING
	SECOND READING
	THIRD READING
PASSED AND APPROVED THIS 8	David Rohe, Chairperson, Board of Trustees
ATTESTED AND PUBLISHED IN BOOK OR PAMPHLET FORM AND BY POSTING IN THE VILLAGE HALL, POST OFFICE, AND FIRE STATION PER § 1-405 AND § 1-410 OF THE MALCOLM MUNICIPAL CODE WITHIN FIFTEEN (15) DAYS OF PASSAGE ON THE DAY OF 2020.	
	Madrie Lenk
	Nadine Link, Village Clerk

LEOSS .

ANNEXATION PLAT EXHIBIT ADDITION TO THE CORPORATE LIMITS OF VILLAGE OF MALCOM VILLAGE OF MALCOM, LANCASTER COUNTY, NEBRASKA (BASED ON THE ACCEPTANCE OF "HUDKINS THIRD ADD.") Christiansen Addition S00°18'46"W WEST BLUFF ROAD S89°57'47"E 2646.96'(M) 50' County Road ROW 2647.00'(R) SEC 21 T11N-R5E N89°57'47"W 799.90'(M) P.O.B. PROPOSED LOT 2 HUDKINS 3RD ADD. Original Corporate Village of Malcon EDUCATION DRIVE ,00 OW 288.03'(M) LOT N00°24'42†E S00°25'15"W 124.54'(M) N89°36'33"W LOT 2 FLOYD DRIVE Original Corporate Limits of Village of Malcom LOT 1 PRAIRIE HILLS ADDITION REPLAT BLOCK 4 LOT 13 HILLS ADD REPLAT ADDITION TO THE CORPORATE LIMITS: TO BE KNOWN AS LOT 1, HUDKINS THIRD ADDITION TO THE VILLAGE OF MALCOLM, LANCASTER COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 21, T11N, R5E, OF THE 6TH P.M., THENCE S00°18'46"W A DISTANCE OF 50.00 FEET; THENCE N89°57'47"W A DISTANCE 200 400 600 OF 799.90 FEET; THENCE S00°04'34"E A DISTANCE OF 1049.45 FEET; THENCE N89°32'38"W A DISTANCE OF 288.03 FEET TO THE POINT OF BEGINNING; THENCE S00°25'15"W A DISTANCE OF 124.54 FEET; THENCE LAND SURVEYORS CERTIFICATE N89°36'33"W A DISTANCE OF 109.84 FEET; THENCE THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE BY THE UNDERSIGNED, THAT THE SURVEY WAS DONE ON THE GROUND IN ACCORDANCE WITH THE MOST RECENT MINIMUM STANDARDS N00°24'42"E A DISTANCE OF 124.66 FEET; THENCE S89°32'38"E A DISTANCE OF 109.86 FEET TO THE POINT OF FOR PROPERTY BOUNDARY SURVEYS, AS SET FORTH BY THE NEBRASKA STATE BOARD OF EXAMINERS FOR REGISTERED LAND SURVEYORS AND THAT THE ACCURACY SPECIFICATION AND POSITION TOLERANCE ARE IN ACCORDANCE WITH RURAL AREA SURVEYS. SAID ADDITION TO CORPORATE LIMITS (TO BE KNOWN AS LOT 1, HUDKINS THIRD ADDITION TO THE VILLAGE OF MALCOLM) CONTAINS 13,686.61 SQFT OR 0.31 ACRES DATE: MORE OR LESS, WHICH IS SUBJECT TO ALL EASEMENTS AND THOMAS B. CATLETT RESTRICTIONS OF RECORD. LEGEND Drawn By: PC △- SET SURVEY POINT AS INDICATED CATLETT LAND SURVEYING FOUND SURVEY POINT AS INDICATED CALCULATED SURVEY POINT Checked By: TC Crew: AK CTP CRIMPED TOP PIPE OTP OPEN TOP PIPE M - MEASURED DISTANCE C - CALCULATED DISTANCE P - PLAT DISTANCE Bennet, Nebraska Date: 06/18/2020

Cell: 402.217.5816 Fax: 402.782.9901

tcatlett@catlettsurveying.com

R - RECORDED DISTANCE

- BOUNDARY LINE

Job #: 2020-042

Scale: 1" = 200'

Sheet 1 of 1